

University of Illinois,  
Library School.

## NATIONAL ASSOCIATION OF STATE LIBRARIES

### PUBLIC ARCHIVES COMMITTEE

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### PUBLIC ARCHIVES REPORT

It has seemed best to your committee to begin its work by a review of existing legislation on centralization of archives and of progress under such laws as have been passed. Most of this material will be found in the various reports of the public archives commission of the American historical association; but it is believed that the presentation of the material in summary form will be a convenience and an advantage in the future work of the committee.

The committee sent out a circular which contained questions as to whether the state had laws providing for centralization of state and local archives, what progress has been made where there were such laws, whether records had been turned over in absence of laws, whether the state had any permanent or temporary commissions whose duties related to public records, what equipment the central repository had for keeping records safe from fire, etc., how many persons were employed in care of archives, and what progress had been made in arranging, calendaring, etc.

Forty replies were received to the fifty-three circulars sent out. The fullness of the replies varied greatly; but in most cases they were very satisfactory reviews of existing conditions. These answers were supplemented by an examination of the last revised laws and subsequent session laws. The whole presents the condition of state archive work to the end of the year 1910.

In examining the laws some subsidiary

matter was noted. This relates to such subjects as accessibility of records to the public, restoration of records, etc. This has been included in the report for its suggestiveness, it is undoubtedly far from complete.

Alabama. Dept. of Archives and History.

Under nine trustees, one from each congressional district. Governor is also a member. Serve six years and fill all vacancies in their number with consent of senate. Management of department is in hands of director who is chosen for six years by the trustees and is to give his whole time to the work.

The department is to have care and custody of public archives, collect material on state history, publish records and other material, aid and encourage the writing and study of Alabama history, explore and mark historic buildings and sites.

The department, on request, must make certified copies of records in its custody, and such shall have same force as if made by official having original custody.

Any state, county, or other official, may at his discretion turn over to the department any records in his office which are not in current use. Code of 1907, chap. 23, secs. 793-810.

Arizona. State Historian.

Appointed for four years by governor with consent of council. Duty to collect, preserve, and compile data for a history of Arizona. Collections to be kept in office which is to be in capitol. Acts of 1909, chap. 94. Cf. Rev. Stats. of 1901, pars. 3728-9, establishing historical department in state library.

The state librarian reports that historian has collected many valuable records.

#### — Local Records.

When records of a county come to such condition that their legibility and preservation is endangered, the supervisors may have them copied. Originals to be kept. Rev. Stats. of 1901, pars. 3799-3802.

#### — Equipment.

Librarian reports that general department of state library and office of state historian are in capitol which is fire-proof.

# REMOTE STORAGE

## STATE LIBRARIES

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Arkansas. Historical Commission.

One was created by Act no. 215 of 1905 and continued by Act no. 430 of 1907. This was superseded in 1909 by a new commission.

New commission consists of chief justice, presidents of state university and state normal school, and six others appointed for twelve years by governor with consent of senate. Elects a secretary who is to give his whole time to the work.

Is to have care and custody of official archives, to collect material on history of state, publish records and historical material, encourage work on history of state, arrange and classify archives in its custody, prepare inventory of archives in all state offices, aid officers in removing archives from old capitol to new, collect a library of Arkansas history, and supervise excavations of Indian mounds.

State, county, and other officials may turn over to commission for permanent preservation all records not in current use in their offices. On request, secretary shall make certified copies of records in custody of commission which shall have force as if made by officer in original custody. Act no. 304 of 1909.

— Local Records.

When record books come to be in such condition that their preservation is endangered, the county court of any county may provide for copying them. When copy is adopted by court it has force of original. Digest of 1904, secs. 6515-16.

California. Secretary of State.

Directed to have copies and translations made of all original Spanish land title papers in office of U. S. surveyor general for California. Duplicate copies of pertinent papers to be furnished each county. Copies and translations to have same force as originals. Stats. of 1865-6, chap. 281.

— Secretary of State. Archives.

Made custodian of archives. He must have constructed in basement of capitol a moist-proof, fire-proof, and burglar-proof vault for storage of archives

To appoint a keeper of the archives who shall receive and receipt for all books, papers, etc. coming from the departments of state

government. He shall arrange the archives so that papers can easily be found, and shall prepare a complete index to records of each department for each fiscal year. Stats. of 1889, chap. 289.

— Equipment.

Has fire-proof vaults in basement of capitol, as required by law.

Colorado. Equipment.

State librarian reports that the capitol is a fire-proof building.

Connecticut. State Library.

Any state, county, town, or other official may turn over to state library with consent of librarian any official records, etc. not in current use in his office except those which may affect title to real or personal estate within jurisdiction of such office. The librarian must include in his reports a list of such transfers. On request he shall furnish certified copies which shall have force as if made by officer who deposited original in library. Laws of 1909, chap. 175.

— State Library. Examiner of Public Records.

Appointed by state librarian with approval of state library committee. Has rank of assistant in state library and holds at pleasure of librarian. Duty to see that persons having care and custody of public records keep them in proper custody and condition and obey laws relating to their safety and preservation. Reports biennially to state librarian. Laws of 1911.

— Temporary Examiner of Public Records.

Office created by chap. 165 of 1903, and continued by chaps. 221 and 237 of 1905, and chap. 131 of 1907. Investigations covered state and local records and results were printed in reports.

— Paper and Ink Law.

State, county, city, town, borough, and probate officers not to use on record books any ink except such as is approved by the secretary of state. Secretary's approval to be based on reports of state chemist. Approval may be withdrawn at any time if ink falls below standard. List of approved inks to

be furnished to all officers concerned. Ink on typewriter ribbons included under law. Gen. Stats. of 1902, secs. 113-117.

— Local Records.

Officers of towns, boroughs, cities, and probate districts who keep records must have proper books for records, have them bound, fill out, so far as possible, any that are incomplete, copy any that are mutilated or illegible, and have necessary repairs made. Fire-proof vaults for records must have non-combustible fittings. Laws of 1905, chap. 239.

Any judge of the superior court may require records of court to be copied when necessary. Copies to have force of original. Gen. Stats. of 1902, sec. 473.

Selectmen of each town to have an annual examination made into accuracy and condition of town records, and shall order such corrections and repairs as may be necessary. Gen. Stats. of 1902, sec. 1837.

Every town to have a fire-proof building, vault, or safe for the protection of its records. Gen. Stats. of 1902, sec. 1960.

Delaware. Division of Public Records.

Under a board of six appointed for two years from members of patriotic and historical societies. To classify, catalog, and preserve all state and county records, not in current use and primarily of historic interest—defined as records of earlier date than 1800. Also to report biennially on condition of records with recommendations. Laws of 1904-5, chap. 77; and Laws of 1909, chap. 70.

— Local Records.

Officers to keep all records of an office in that office which shall be constantly open to the public. Must extinguish all fires at night—except coal fires—or have a guard in the office. Laws of 1893, chap. 3.

Florida. Accessibility of Records.

State, county, and municipal records to be open to inspection of any citizen at all times. Laws of 1909, chap. 5942.

Georgia. State Library.

The librarian reports that state officers have deposited some records in state library when the law has not required their retention.

— Secretary of State.

Secretary of senate and clerk of house required to deposit in office of secretary of state at close of each session all papers belonging to the general assembly except those which relate to unfinished or rejected business. Code of 1910, secs. 348, 365, 366.

— Compiler of State Records.

Publishes volumes from time to time.

— Equipment

State librarian reports that capitol is a fire-proof building.

— Local Records.

County buildings to have a fire-proof vault or safe large enough to hold certain specified records. Such records to be placed in vault or safe at night and at any other time when officers are absent from office. Code of 1910, sec. 400.

Hawaii. Board of Commissioners of Public Archives.

Consists of secretary of territory and two members appointed by governor with consent of senate. Secretary is chairman and executive officer of board.

To collect, arrange, and inventory all public archives, provide for their safe keeping, and compile information concerning them. [Laws of 1907 or 1909.]

Idaho. Accessibility of Records.

Public records to be open at all times during office hours to inspection by any citizen. Rev. Codes of 1909, sec. 341.

Illinois. State Historical Society and Library, State University Library, etc.

The governing body of any county, city, town, or village may allow or direct the transfer to the state historical society and library, the state university library, or to any incorporated historical society in the county of any official records, etc. which have historical value. Copies to be substituted for originals when that seems necessary.

Any official who has the custody of such papers must allow them to be used under supervision at all reasonable hours. Rev. Stats. of 1908, chap. 127, secs. 17-19.

### Indiana. State Library.

Secretary of senate and clerk of house to deliver to state library at close of each session all the books, papers, etc. of the legislature. An. Stats. of 1908, secs. 9294, 9306.

#### — Equipment.

State librarian reports that capitol is fire-proof and that the library has two small vaults.

#### — Local Records.

When a local historical society has existed and held annual meetings for five years a county may provide it with rooms and fire-proof vaults for its records and collections. If the society cease its activity its collections shall become the property of the county and shall be carefully preserved. An. Stats. of 1908, secs. 4998-5002.

### Iowa. State Library and Historical Department.

To have custody of all state records, etc. ten years after their date or the end of their current use. Transfer, etc. is under control of the executive council. The records transferred are to be properly arranged and calendared. Council directed to provide and equip a hall of archives in the new historical, memorial, and art building. Suppl. to Code, 1907, secs. 2881j-n.

The state librarian reports that nearly all such records have been transferred, arranged, etc.

#### — Equipment.

Hall of archives has been fitted with special steel filing cases in the fire-proof historical building, as required by law.

### Kansas. State Historical Society and Department of Archives.

Any state, county, or other official may turn over to society for preservation any records, etc., not required by law to be kept in the office, three years after current use or sooner at discretion. The society shall catalog such records when transferred.

Secretary of society to make certified copies on request, which shall have force as if made by officer having original custody. Gen. Stats. of 1909, secs. 8009, 8010.

Society must not permit any of its records, etc. to be taken from its building, except that secretary or his authorized deputy may take them for use as evidence or for historical or literary purposes, provided he keep them in his personal custody. Gen. Stats. of 1909, sec. 8006.

The secretary reports that the secretary of state has transferred a mass of territorial and early state records, and that a few early records of various counties have been turned over. Some work in classification and arrangement has been done; but cataloging is being deferred until new building is occupied and also to give opportunity to study methods.

#### — Equipment.

Secretary reports that new memorial hall will be fire-proof and that archives will be kept there.

#### — Local Records.

When county records are lost or destroyed the county commissioners may order the secretary of the state historical society to transcribe from records, newspapers, etc. in custody of the society authorized publication notices and to certify the same. They shall then have force of originals. So far as work can be done by the regular staff of the society no charge shall be made; but county must pay for extra help when such is necessary. Gen. Stats. of 1909, secs. 4741, 4742.

### Kentucky. Secretary of State.

State librarian reports that secretary of state is the custodian of executive papers, original laws, etc.

#### — Equipment.

State librarian reports that library is in capitol which is fire-proof. Also that state officers have vaults in capitol for the records of their offices.

### Maine. State Historian.

Appointed by governor with consent of council. Must be a member of Maine historical society. To compile data on history of state, encourage publications on local history and the teaching of state history in schools, approve town histories for state aid after an examination of them. Acts of 1907, chap. 88.

Reports of the state historian indicate that he is giving attention to archives and seeking legislation thereon.

Maryland. Public Records Commission.

Three members appointed for two years by governor with consent of senate. To examine completeness and condition of public records and report with recommendations.

Standards prescribed for paper and ink used in records. The commissioner of the land office is to approve inks and typewriter ribbons. Pub. Gen. Laws of 1904, art. 54, secs. 50-53.

Certain valuable records in state land office reported by commission to be in need of restoration. Preservation to be attended to on those designated by commissioner of land office. Pub. Gen. Laws of 1908, chap. 606.

— Historical Society.

Made custodian of records, ancient documents, etc. of province and state on condition that they be safely kept, properly arranged, etc. and those of historical importance be published. Society built vault for records, etc. Pub. Gen. Laws of 1882, chap. 138.

Missing records, etc. which exist in public record office in London to be copied, published, etc. Pub. Gen. Laws of 1906, chap. 256; of 1908, chap. 91.

Massachusetts. Secretary of Commonwealth.

To have custody of records of grants and conveyances of land formerly held by commonwealth in state of Maine. Rev. Laws of 1902, chap. 5, sec. 5.

Chief of archives division has supplied the following information. While not made a central repository for archives by law the secretary's office has always been such in reality for nearly all state records. The archives division was established in 1891. No local records have been transferred. The reports made to the secretary on assessments and registration contain much local material. The division has brought the archives into order and has done much further work on them.

— Commissioner of Public Records.

Appointed by governor for three years with consent of council. Reports to legislature. To take measures that will ensure that rec-

ords of counties, cities, towns, etc. be kept in the custody and condition required by law.

Paper and ink used for records to be of certain standards. Commissioner to advertise for proposals and contract for standard inks for use on state, county, etc. records. May cancel contract if inks at any time fall below standard. Officials must use ink thus furnished. Commissioner also to approve typewriter ribbons for use on records and no others may be used. Record books to be properly and substantially bound.

State, county, city, and town officers must have fire-proof vaults with non-combustible fittings for keeping records and records must be kept therein when not in use.

Records of proprietors of towns, and of churches whose organization has ceased, must be turned over to the official custody of city, etc.

Regulations are prescribed for preservation of records and for disposal of any which are not to be kept. A city, town, or county may have copies made of records relating to it. Incomplete records are to be completed so far as possible. Officers are to have copies made of records that are becoming illegible and have originals repaired themselves or through the commissioner.

Officers having custody of records must allow them to be examined at all reasonable times under supervision and must make copies for a reasonable fee. Rev. Laws of 1902, chap. 35; Suppl. of 1908, p. 420.

The commissioner presented a paper on the work of his office at the International congress of archivists at Brussels, August, 1910. This was also privately printed, Boston, 1910.

— Equipment.

Chief of archives division in secretary's office reports the division has two rooms with steel stacks and two underground vaults, also that the part of state house where his rooms are located was considered fire-proof when built in 1891-3.

— Temporary Commission on State Archives.

Appointed in 1884 to examine condition of state archives and report thereon. Resolves of 1884, chap. 60. The report was made and printed.

#### Michigan. State Library.

When incorporated historical societies are dissolved, their collections are to become state property and be turned over to the state library. Comp. Laws of 1897, sec. 8196; Pub. Acts of 1907, no. 31.

#### — Secretary of State.

Act abolishing office of commissioner of immigration in 1885 provided that its archives be turned over to the secretary of state. Comp. Laws of 1897, sec. 76.

#### — Equipment.

State librarian reports that state offices have fire-proof vaults.

#### — Local Records.

Officers having custody of records of a county, city, township, borough, village, school district, etc., must furnish proper facilities for examination of them during business hours and for making notes and transcripts. May make reasonable rules, but must not allow use of pen and ink. Records must not be removed from office except under judicial order or writ. Pub. Acts of 1899, no. 92; of 1903, no. 76.

#### Minnesota. State Library.

Copies of judicial decisions and of papers or documents in the state library when certified by the state librarian shall have the same force in evidence as the original. Rev. Laws of 1905, sec. 4704.

#### — State Historical Society.

A legal notice, properly authenticated, in any newspaper in the state, prior to 1900, which has been filed with the society, may be recorded in the office of the register of deeds of any county where there is real estate which is affected by such notice. It shall then be *prima facie* evidence that the newspaper containing the notice was published at the time and place stated. Gen. Laws of 1909, chap. 19.

#### — Secretary of State.

He is custodian of all state records and documents the custody of which is not by law expressly given to another state official. Const., chap. 4; Rev. Laws of 1905, sec. 30.

#### Mississippi. Dépt. of Archives and History.

Under control of nine trustees who hold office for six years. Three of them must be ex-confederate soldiers. Board fills vacancies with consent of senate. The director, chosen by trustees for six years, has management of department and must give his whole time to the work.

To have care and custody of public archives, collect material on history of state, publish records and historical material, diffuse knowledge of history of state and encourage its study.

Any state, county, municipal, or other official may at discretion turn over to department for preservation any records, etc. not in current use. Director, on request, to make certified copies which shall have same force as if made by official having original custody. Code of 1906, secs. 1633-39; also in 5th annual report of the department, 1905-6, pp. 11ff.

The director reports that a complete transfer of historical archives of state has been made and that many valuable local records have been turned over. All have been arranged and are ready for use.

#### Montana. Equipment.

State historical and miscellaneous library reports that the capitol is fire-proof.

#### Nebraska. State Historical Society.

Made custodian of all public records, etc. of historical value in the offices of any state department or institution, or in any county, city, or other public office. Records, etc. which have not been in current use in such office for twenty years and are in danger of damage or destruction are to be turned over to the society which shall make an invoice and receipt for them. Officials to notify society whenever they have such records.

Secretary or curator of society to make certified copies, on request, which shall have force as if made by official having original custody. An. Stats. of 1909, secs. 11878-11882.

Society reports that little has been done under law because public officials do not like to part with records and the society has no

suitable place in which to keep them nor help to care for them.

— Equipment.

State historical society is building a fire-proof building, but work is now suspended on it owing to lack of funds. Society is now in a "so called" fire-proof building. Most of the state archives are in the capitol which is a fire trap.

— Local Records.

All persons interested in examination of public records are empowered and authorized to examine the same without charge during ordinary office hours. An. Stats. of 1909, sec. 9481.

New Hampshire. Secretary of State.

To make an examination of records of his office under supervision of governor and council and prepare an index to laws, journals of senate and house, records of governor and council, and other records. Laws of 1883, chap. 86.

Valuable records from provincial days in his office which are not arranged. Secretary authorized to begin arrangement and index on plan which shall be approved by governor and council. Laws of 1901, chap. 151.

Records of province before its division into counties to be removed from Exeter to Concord to custody of secretary. He shall make certified copies, on request, which shall have force of originals. Pub. Stats. of 1901, chap. 15.

— Local Records.

All records of city officers and boards, not needed for current use in their offices, shall be deposited in office of city clerk and preserved by him as public records of the city. Pub. Stats. of 1901, chap. 49, sec. 14.

New Jersey. Commission on Public Records.

Three persons appointed by governor. To inquire into the condition and custody of records of the state, counties, cities, and townships, and see what provisions need be made for their preservation and accessibility. All public officers to afford commission all reasonable facilities for carrying on its work. Laws of 1897, chap. 105.

— State Records.

State departments, institutions, etc. to file all papers relating to business of department, etc. at least once a month in their offices, and securely preserve them. Laws of 1910, chap. 101.

New Mexico.

Spanish and Mexican archives prior to 1850 in possession of territory to be sent by territorial librarian to the Library of Congress which shall receipt for them under stipulation that they shall be classified. All relating to land titles, or being of only local or personal interest to be returned to territorial library within one year. Those of general interest to be retained and indexed by the Library of Congress so that they may be readily used by historians and the general public. All the archives to be returned within five years. Acts of 1903, chap. 102.

New York. State Library.

Manuscripts of the legislature which have been on file in the offices of the clerks of the senate and assembly, and all other state records whose custody is not fixed by law are to be part of the state library. To be kept in rooms assigned for the purpose and to be classified and arranged. No paper or record to be removed except for temporary use under senate or assembly resolution.

Officer in charge of any state department etc. may, with approval of the regents, transfer permanently to the state library any manuscripts which in his judgment would be more useful there than in his office. Laws of 1910, chap. 140 (Education law), secs. 1112, 1115. State librarian reports that sec. 1112 goes back to 1859 and sec. 1115 to 1892.

Several laws making special transfers have been passed. Res. of Dec. 15, 1847; Laws of 1881, chap. 120; Laws of 1897, chap. 274.

State librarian reports that State library bulletin, History no. 3 (1899), gives an annotated list of the principal archives in the library at that date. Since then there have been received to February, 1911: from the secretary of state the state constitution, election returns, and a few other records; from the state comptroller fifty-two volumes of Revo-

lutionary manuscripts, twenty-five volumes, unbound, and other volumes and papers relating chiefly to the War of 1812; from the clerks of the senate and assembly various records and papers.

The library has published a number of volumes of documents and calendars. Chap. 177 of Laws of 1910 made provision for the translation of the Dutch records. State library bulletin, Bibliography no. 46 contains Mr. van Laer's report on those records.

— State Historian.

To collect, edit, and publish records of the state, especially those relating to wars. Consol. Laws of 1909, p. 1108.

The state librarian reports that since the office was created in 1895 the historian's activities have been confined to editing and printing manuscripts, chiefly those in state library.

— Equipment.

The state librarian reports, Feb., 1911: "The present quarters for the shelving and consultation of the manuscripts are entirely inadequate, but on the completion of the new education building this want will be remedied. The manuscripts will be shelved for the most part in a section of the fire-proof library stack, but separate from the printed books; the reading and work rooms will communicate directly with this section of the stack."

— Accessibility of Records.

Custodians of public papers and records must, on request and after payment of legal fees, search files in their custody, make transcripts, certify them, etc. Consol. Laws of 1909, pp. 408, 3390.

North Carolina. Historical Commission.

Composed of five persons appointed by the governor for six years. To collect, edit, and publish material relating to history of the state, to mark historical buildings and sites, to diffuse knowledge of history of state and encourage investigation.

Any state, county, town, or other official may turn over to the commission for preservation at his discretion any records, etc. in his custody. Commission to provide for their preservation. Commission to make certified copies on request which shall have

same force as originals. Revisal of 1908, secs. 4539, 4540, 4541b.

Secretary is executive officer of the commission.

— State Library.

To procure records of state, or copies thereof, and other unpublished material on the history of the state before 1791 which is missing from the state archives, and publish the same. Revisal of 1908, sec. 5071.

— Equipment.

State librarian reports that legislature has just made an appropriation for a fire-proof building.

Ohio. Local Records.

County commissioners of a county may have records transcribed into new books when it is deemed necessary and the transcripts shall have force of originals. Gen. Code of 1910, sec. 2479.

County commissioners may allow any society of soldiers or pioneers, or historical society to occupy any county building, or part thereof, which is not needed for official purposes. Gen. Code of 1910, sec. 3069.

Oklahoma. Historical Society.

Trustee of state. Any official or person who has custody of records, etc., not required by law to be retained in a public office, may transfer the same to the historical society. Society, on request, to make transcripts for which usual fees shall be charged. Transcripts to have force of originals. No fees to be charged when transcripts are for use of state. Comp. Laws of 1909, sec. 4888.

Oregon. Secretary of State.

State librarian reports that so far as records have been concentrated they are in secretary's office, but there is no provision for their care or preservation.

Clerks of senate and house at close of each session to deposit in office of secretary all papers, etc. in possession of legislature. An. Codes and Stats. of 1901, sec. 2392.

— Historical Society.

Certain territorial papers to be placed in its custody by the secretary of state. Gen. Laws of 1909, p. 486.

Pennsylvania. State Library.

Division of public records created for preservation of all public records of commonwealth, especially those of state government, not in current use and so chiefly of historical value.

To be under direction of state librarian who is to be responsible for records in custody of division. To classify and make readily accessible all records which come into its custody with such exceptions as trustees of state library may direct. To report biennially on condition of state records with recommendations for preservation of records throughout the state.

Heads of state departments to turn over to division all records, etc. in their custody up to 1750 unless needed in business of office.

An advisory commission to be appointed annually by the governor. To consist of five persons interested and learned in preservation of records. It shall make recommendations relating to the records. Pub. Laws of 1903, chap. 177; Purdon's Digest, 13th ed., pp. 3722, 3723, 4052, 6046.

State librarian reports: Departments have varied in extent to which they have turned over records. Some retain most of what they have and others have turned over more than law requires. Some local records have been transferred; but this has not been encouraged as the state records demand all available help.

Tons of records have been repaired and pressed, thousands of papers have been arranged, and a large number of volumes have been classified and indexed. Work on state papers up to 1790 has been completed. The state librarian some years ago superseded the secretary of state as editor of the Pennsylvania archives.

#### — Equipment.

Public record division required to provide fire-proof accommodations for records as soon as possible. Pub. Laws of 1903, chap. 177.

The state librarian reports that they have fire-proof cases with steel fronts.

#### — State Federation of Historical Societies.

It has a committee on manuscript archives which has been collecting information on

local archives and arousing interest in their preservation.

#### — Local Records.

State librarian reports that there is an act before the legislature (1911), authorizing town and county officials to turn over to the division of public records in the state library such papers as are not in current use.

#### Philippines. Bureau of Archives.

Bureau of archives and bureau of patents, copyrights, and trade marks abolished, and functions united in division of archives, patents, copyrights, and trade marks in the executive bureau. Act no. 1407, Oct. 26, 1905.

#### Philippines Public Library.

Committee for preliminary organization authorized to collect or purchase—among other things—papers and documents relating to the Philippines. To investigate such as are in government custody. Governor general may direct transfer to library of such as committee recommend. Act no. 1849, June 3, 1908.

The Philippines public library board shall make special effort to procure and preserve all papers, documents, etc. relating to the Philippines and provide a chief of the division of Filipiana to classify them. Act no. 1935, May 20, 1909.

The librarian sends the following information: Executive order no. 70 has appointed a commission of five to consider the subject of the care and custody of public records.

Records of each bureau are, now, usually retained in its custody. Spanish documents relating to the central administration are in the archives division of the executive bureau. The Spanish land documents are there in a special vault. Current administrative documents of the executive bureau are in its record division. The old Spanish supreme court records are in old building and still uncared for. Archives may at some time be transferred to the library, but this is uncertain.

The library has no adequate building for library or archives, and cannot give attention to care and arrangement of old Spanish documents of which there is a wealth in existence.

Some little work in arranging and indexing has been done, however.

There are a number of provincial archives. They are in poor condition, but are likely to receive attention in the near future.

#### Porto Rico. Secretary.

Provision for a historian who shall collect and compile historical material relating to Porto Rico and file it in the office of the secretary. Laws of 1903, p. 104.

#### Rhode Island. Record Commissioner.

State librarian made ex officio record commissioner with power to appoint a deputy. To make a detailed report on public records of state, cities, towns, parishes, and churches, and of records outside the state relating to Rhode Island. Pub. Laws of 1910, chap. 645.

#### Rhode Island Historical Society, and Newport Historical Society.

Given appropriations for care of state property in their keeping and for copying and preserving records in towns. Gen. Laws of 1909, chap. 38, sec. 14.

#### — Secretary of State.

Holder of public office, on leaving it, to deliver to his successor, or, if no successor, to secretary of state all records, etc. of the office. Gen. Laws of 1909, chap. 41, secs. 1, 2.

State librarian reports that secretary of state has charge of state archives so far as there are any. But there is no central repository and no transfers have been made. It is hoped there that will be in the future. Some material was, years ago, unofficially transferred to the Rhode Island historical society.

#### — Equipment.

State librarian reports that state house is fire-proof and that the archives are kept in a vault with metal doors and shelves.

#### South Carolina. Historical Commission.

Reconstruction of a commission, created in 1894. Members are appointed by governor for ten years with alternating terms. Commission elects a secretary who is to give his whole time to the work of the commission.

To have rooms in the capitol where their archives shall be kept.

To have care and custody of state archives which are not in current use, especially those in charge of secretary of state. To collect material on history of state, and arrange, index it, etc. To prepare records, etc. for publication and to encourage historical research and mark historic buildings and sites. Laws of 1905, no. 454.

#### — Secretary of State.

To take charge of any papers of historic value in the state house. To arrange and index all loose documents, to have room in the capitol for archives of which he takes charge. Archives to be open to historians under rules of secretary. Reasonable fees may be charged for inspection and copies. Acts of 1902, no. 611. These have been transferred to the historical commission.

#### South Dakota. Department of History.

A copy of any paper, document, legal notice in newspaper, etc. in custody of department, when duly certified by any executive officer thereof, may be accepted as prima facie evidence of contents thereof in any court. Comp. Laws of 1908, p. 848.

The director reports: There is no law which takes any record out of the custody of the officer who makes it, and no transfers have been made.

Records of Dakota territory were very badly kept and carelessly treated. When capitol was moved from Yankton to Bismarck in 1883 most of the records, including the governors' letter books—which were thought to be of little value—were destroyed. Those remaining were divided between North Dakota and South Dakota as they seemed to interest one or the other more. Little remains however, in either capital, and the things of greatest interest have disappeared.

#### — Equipment.

Director of department of history reports that the capitol has commodious vaults in the various offices.

#### Tennessee. Local Records.

Provisions are made for rebinding, copying, etc. various county records when necessary

for their preservation. Code of 1896, secs. 3787-93; Suppl. to Code, 1903, secs. 3787, 3793.

Texas State Library and Texas Library and Historical Commission.

Commission consists of superintendent of public instruction, head of school of history in state university, and three others appointed by governor for two years. They are to elect the state librarian who is to be an experienced librarian and not a member of the commission. He shall be secretary of the commission.

To control and administer the state library, collect material on history of Texas and the Southwest, encourage historical research, preserve, classify, and publish manuscript archives and other material, mark historic houses and sites and ensure their preservation, etc.

May receive donations or gifts of money or property on such terms and conditions as it may think proper, provided no financial liability is incurred by the state. All documents, manuscripts, etc. obtained by gift, purchase, or exchange to constitute a part of the state library.

State librarian under direction of commission to have following duties: Have charge of state library and all archives, etc. in it, collect originals or copies of manuscript records relating to state, now in private hands. To seek diligently to procure a copy of every book, etc. containing information of value concerning the state. Also to collect portraits, try to complete files of early Texas newspapers in the library, etc.

To demand and receive from state officers all documents, etc. relating to the history of Texas and not needed in current business of their offices, classify, catalog, and preserve them. In case of disagreement as to custody of such documents, etc. the attorney general shall decide.

To endeavor to procure from Mexico, or other places without the state, the original archives which have been removed from the state, or get copies, so far as they relate to settlement and history of the state. Also to preserve all historical relics in state library, and seek to build up a historical museum.

To make and certify copies of documents in state library, on request and payment of usual fees. Such copies to be received by courts in evidence as if from other state departments, or as if made by the officer having original custody of the record or document. All fees to be turned over into state treasury.

To make a biennial report which may be accompanied by historical documents and papers. Other duties are laid down which relate in no way to the archives.

Any state, county, or other officer may turn over to state for permanent preservation any records, etc. not in current use in his office. 1910 Suppl. to Sayles' An. Civil Stats. pp. 466 ff. Also in Circular no. 1 of the commission. See also Quarterly of Texas state historical association, April, 1911, pp. 294 ff.

The state librarian reports: That a good beginning has been made in transferring state records. No local records have been transferred and no effort has been made to have them turned over. All manuscript material transferred prior to 1906 has been arranged and cataloged. Much unclassified material has been transferred since then.

He also reports an interesting legal point relating to transferred archives. A case was tried in a Texas court in which the plaintiff wished to use certified copies of documents in state library. The defendant objected to their admission, as had been expected; but the plaintiff carried his point and they were admitted through the testimony of the state librarian—who was present with the originals—that they were original manuscripts and had been deposited in the proper state office. The librarian was required to explain how they came into his custody.

— Equipment.

State librarian writes: "We thought we were pretty safe until the fire at Albany."

— Local Records.

Law makes provision for transcribing, etc. county records when they are in danger of becoming illegible, etc., also for translating Spanish records relating to land titles. Stats. of 1897, secs. 4583-4593b.

United States. Library of Congress.

The head of any executive department or bureau or any commission of the government is authorized to turn over to the Library of Congress, any books, maps, or other material in the library of the department, etc. which is no longer needed for its use and in the judgment of the Librarian of Congress is appropriate to the uses of the Library of Congress. Act of Congress of February 25, 1903.

The chief of the manuscript division reports that this has been construed to permit transfer of manuscript material.

Utah. Accessibility of Records.

Every citizen has the right to inspect and copy any public writing of the state except as otherwise provided by statute. Comp. Laws of 1907, sec. 3375.

Vermont. Local Records.

The state librarian writes: No local officers have been interested enough in the matter to assist in having a commission created to examine the condition, etc. of local records, although all understand that for want of some such action thousands of dollars worth of material has been carried out of the state in the past thirty years. Legislative action is hoped for in the near future.

Virginia. State Library.

Records of departments of state government which are of historical value shall—with the consent of the head of the department—be deposited in the state library. Such records shall be deemed to be in the custody of officers from whom they were transferred and such officers shall have free access to them. They shall not be removed from library except by officer having custody of them. Code of 1904, sec. 255.

State library is authorized to collect in its discretion reasonable fees for copies or excerpts from books, records, etc. in the library. Such fees to be turned over to the state treasury and there credited to the library fund. Code Biennial, 1908, p. 677.

The state librarian reports: Long before the passage of the law of 1904 it had become a habit of state officers to turn over to the state library material which was no longer in

current use and was, therefore, only of historical interest. It came chiefly from the governor, clerk of the house, and adjutant general.

Records have been transferred to the amount of about 1,000 bound volumes and about 300,000 loose manuscripts. Much more might be secured if the library had proper space for arranging it. 15,000 legislative petitions have been filed, and a calendar of 2,000 of them printed in the report for 1908. Library also published a Calendar of transcripts in 1906 which is really an index of the manuscript material in the library. Also is publishing the Journals of the house of burgesses. Secretary of state, while ex officio state librarian, published the Calendar of Virginia state papers.

— Equipment.

Librarian reports that library has a fire-proof building and one safe in which some records are kept.

— Local Records.

State librarian writes: In 1892 an appropriation was made for copying county record books of the seventeenth century which were in a very dilapidated condition. Those of eight counties were copied and copies deposited in the state library.

Washington. Public Archives Commission.

Composed of governor, secretary of state, and state auditor. Made official custodians of all public documents, records, and archive of state. To arrange for classifying, cataloging, etc. all archives in its custody.

Any state, county, or other official may turn over to commission any archives of his office which are not in current use. Archivist to make, on request, certified copies which shall have force as if made by officer having original custody; and shall charge same fees. Officers who turn over records to have free access to them.

State librarian to act as archivist without pay and to have direction and control of work under the commission. To preserve and care for the archives in custody of commission which shall provide suitable rooms and vaults. An. Codes and Stats. of 1910, secs. 8968-74.

State librarian reports that nothing has been

turned over, as necessary preliminaries have not yet been arranged. A card index of all territorial and state officers is in preparation for use in calendaring.

— Equipment.

State librarian reports: State library has a good vault but no suitable shelving. There is no suitable room and vault space for the archives.

West Virginia. Bureau of Archives and History.

Under management of board of public works. In charge of state historian and archivist who is appointed by governor for five years.

To collect, preserve, and classify records and documents relating to the history of the state. Also to collect books relating to the state or by persons in the state. Code of 1906, secs. 337-41.

Wisconsin. State Historical Society.

State officers may transfer to society, which is trustee for the state, for preservation records which are not in current use. Laws of 1907, chap. 88.

Secretary of society reports that a few records have been transferred.

— Equipment.

Secretary of state historical society reports

that, society's library is a fire-proof building, and that the new capitol is fire-proof and has fire-proof vaults in the offices.

Few states have a distinct archive department, or even employees who devote their whole time to archive work. A very commendable tendency shows itself to employ persons who combine training in history and kindred branches with library experience. The reports from the states are as follows:

Connecticut, one with library training; Indiana, one for part of time, has university training; Iowa, beginning July 1, 1911, superintendent and three assistants; Kansas, the clerk of the archives; Massachusetts, chief of archives division and seven assistants, trained in the division; Mississippi, director and five persons; New York, archivist and assistant archivist, both with university and library school training, and two others; Pennsylvania, custodian of public records and ten others, trained in the division; Philippines, three in archives division who are trained in archive work; Rhode Island, one person engaged in compiling colonial records; Virginia, one with university training; Washington, one with library training; Wisconsin, chief of maps and manuscripts department of historical society, university training.





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